

2ND Comment Period Paint Creek

Timber/Silviculture

- **SE 1:** The recommendations regarding “cabling” are unclear. Is cabling intended to mean cable yarding or skyline logging, or does it mean winching the trees along the ground? Winching trees along the surface for extended distances can cause considerable ground disturbance.
 - *Response: The term for this assessment should be winching. No cable logging is proposed for this assessment. Winching is proposed in this assessment where the cable is pulled from the skidder/dozer up to 100 feet to the tree. Normally the maximum reach is 50 feet.*
- **SE 2:** For two stands (209-30 and 217-4), the soils report recommends supervision by a hydrologist or soil scientist in the layout, implementation, and rehabilitation of the stand. Will this recommendation be adopted by the Decision Notice or otherwise documented in the project file so that it is not forgotten when the project is implemented?
 - *Response: Jonathan: As noted in the SSIR, A forest hydrologist and/or soil scientist should review layout, implementation, and rehab of this stand. These concerns are only for the steep sections and unstable areas of the stand. The recommendations made in the SSIR for stands 209-30 and 217-74 will be included in the decision notice and project file.*
- **SE 3:** For stand 217-4, the soils report notes that ground based equipment will be “excluded from slopes in excess of 45% in accordance with project design criteria.” However, the applicable design criterion sets 40% as the threshold. Elsewhere in the report (p 32), the 40% threshold is used, so this may simply be a typo. Furthermore, if 35% is the threshold “at which issues with instability, erosion, and soil productivity may begin to occur,” shouldn’t the design criterion be adjusted to include slopes between 35% and 40%?
 - *Response: The RLRMP states that special consideration will be given to soils on slopes over 45% (p.9). 45% was mistakenly substituted for the 40% threshold applicable to this project per the design criteria presented on EA p.47. The 45% is a typo and will be corrected. 35% is the slope break NRCS uses in their mapping to divide E and F slopes. It is not a design criterion. The 40% threshold has been used successfully on the North Zone of the Cherokee NF for several years, as documented in the condition of historic timber sales inspected as part of the SSIR (pp. 19-20 & 37-38).*
- **SE 4:** Compartment 218, Stand 10: Although much of this stand is on operable slopes, the road accessing the stand is in “extremely poor condition.” It is “steep, entrenched, has

inadequate drainage, and is a source of gully erosion.” This road is located on steep slopes with Junaluska soils, and it is difficult to imagine how BMPs could adequately divert water from this road during project implementation..... the stand is in very good condition overall, with a portion of the stand close to regaining old growth character..... there is no need to remove uncharacteristic vegetation, so the only conceivable restoration goal here would be to create structural conditions that are underrepresented at the landscape scale.

- *Response: The portion of the road referred to in the text quoted above accesses the stand from the bottom and is slated for decommissioning pending completion of the NEPA process on this project. The road accessing the unit from above is proposed for use as a haul road associated with commercial timber management in 218/10.*
- **SE 5:** Compartment 214, Stand 13: This stand is healthy, with characteristic species composition. Although originally proposed as a regeneration harvest, which would have had no restoration justification, this is currently proposed as a thinning with gaps in order to create open woodland conditions.. At this site..... timber on flatter ground in the northeastern portion of this stand would require access by traversing steep Junaluska soils.....the ID team should not approve a bladed skid trail on these slopes merely to thin the northeastern portion of this stand. Instead, please consider either excluding this portion of the stand or selecting trees noncommercially.
 - *Response: This area of concern was field reviewed by a soils specialist and the decision was made that the proposed treatment could proceed. Similar skid roads on the North Zone of the Cherokee National Forest have been successfully stabilized as documented in the condition of historic timber sales inspected as part of the SSIR (pp. 19-20 &37-38).*
- **SE 6:** Compartment 215, Stand 47: This stand averages between 45% and 50% slopes, with pistol butted trees indicating soil creep. The soil report concludes that noncommercial treatment “may” be a better option. We strongly believe that this stand should be treated noncommercially, if at all. As we have written in previous comments, commercial treatment in this stand would not be consistent with the AT prescription’s standards. Additionally, this stand is not in need of restoration to improve species composition or diversity. To the extent that treatment is desired to create open canopy conditions, the goal could be accomplished with a light noncommercial thinning. Leaving the thinned trees on the ground would also provide good micro-habitat.
 - *Response: This stand has been recommended for non-commercial treatment.*
- **KM 7:** Compartment 214 stand 15 (Ricker Mountain) will be moved to a non-commercial treatment and two other stands—Compartment 209 stand 30 (Devil’s

Kitchen) and Compartment 217 stand 4 (Rough Branch)—will be re-evaluated after they are marked for treatment. One possible consideration for these locations, especially for the Ricker Mountain stands, is to do the treatments on the lower portions of the slope closer to the road and simply avoid operating in the higher, steeper sections.

- *Response: As stated compartment 214 stand 15 is proposed for non-commercial treatment. During layout of the stand perimeter it will be further evaluated by Forest Service personnel where this treatment will occur within the proposed stand boundary. The same attention will be given to C209 std 30 and C217 std 4, during layout of stand perimeter and it will be further evaluated for treatment.*
- **DM 8:** It is important that if logging is to occur that a clear procedure for what is considered to be a threshold for “rutting” be discussed in the ROD.
 - *Response: The photographs of “rutting” that Mr. Mounger presents in his comments are actually the cut-slopes of full-bench skid trails, not ruts. Guidance on the criteria used to evaluate whether a rut is detrimental to soil productivity can be found in the Forest Soil Disturbance Monitoring Protocol (http://forest.moscowfsl.wsu.edu/smp/solo/documents/GTRs/WO_82/SoilMonProtocol_GTR-WO-82a.pdf).*
- **DM 9:** We are familiar with the 18” standard, but request an explanation how that would be measured on a steep slope where the cut in the road would presumably reveal a greater depth on the upper slope side than the lower.
 - *Response: The Cherokee NF does not have any standard related to an 18” depth of rutting. An evaluation of the potential for rutting up to 18” is presented in the NRCS interpretation for harvest equipment operability (EA p.51) but does not constitute a design criterion. The photographs of “rutting” that Mr. Mounger presents in his comments are actually the cut-slopes of full-bench skid trails, not ruts. Guidance on the criteria used to evaluate whether a rut is detrimental to soil productivity can be found in the Forest Soil Disturbance Monitoring Protocol (http://forest.moscowfsl.wsu.edu/smp/solo/documents/GTRs/WO_82/SoilMonProtocol_GTR-WO-82a.pdf). When implementing the Forest Soil Disturbance Monitoring Protocol, skid trails and landings are automatically given a severe impact rating so those areas count towards the 15% allowable disturbance within a timber sale unit (FW-8). Any ruts meeting the criteria for class 2 or 3 disturbance would also count towards the 15% threshold.*
- **DM 10:** we are concerned that the realities of logging on such sites often require for turnaround/connection that can leave significant bare spots that can occupy enough area to remain unstable and bare for some time.

- *Response: Such issues have not been observed in previous timber sales on the North Zone of the Cherokee National Forest as documented in the SSIR (pp. 19-20 & 37-38).*
- **DM 11:** Our continued concern with logging, particularly high-removal logging such as shelterwood cutting, on these slopes lies in a loss of soil (and in some cases water) quality that accumulates with repeated stand entries over the decades
 - *Response: Such issues have not been observed in previous timber sales on the North Zone of the Cherokee National Forest as documented in the SSIR (pp. 19-20 & 37-38).*
- **DM 12:** C 217/31 and C216/29 are listed as having G slopes (with a mention of C209/4 and 209/30 having “steeper areas”, and a mention of C214/20 and 26 as having areas greater than 60%). Such areas within these stands should be left alone completely
 - *Response: Within all treatment areas there will be occurrences of steep slopes, rock outcrops, and areas that should not be treated. During layout of the stand perimeter and marking of the stands these areas are encountered and will be excluded from treatment if they do not meet the treatment criteria.*
- **DM 13:** Stand 10 in C 218 also is an area of concern. The combination of these factors puts this stand in the category of “diminishing returns”, as in too much of an investment, fiscally and in terms of mitigation. This stand should be dropped from consideration.
 - *Response: Thank you for your comments and the concerns will be considered.*
- **DM 14:** Stand 30 in Compartment 209..... Considering the acknowledgement of unstable conditions, there should be no treatment whatsoever in this stand. Like the other stands that we have mentioned, this one simply has too many risks with too little purpose to be ecologically, logistically, or fiscally responsible.
 - *Response: Thank you for your comments and the concerns will be considered.*
- **DM 15:** C 214/15. Th[e] soils in this stand are unsuitable for commercial ground-based timber harvest equipment operations. This is a wise recommendation over the commercial treatments that were discussed, but this stand needs no treatment at all.
 - *Response: Thank you for your comments and the concerns will be considered.*
- **DM 16:** C 214/13. Stand 13 has its own concerns, with a complexity of slopes, acknowledged in the SSIR as having grades running from 15 to 60 degrees. There is also a provision for ID team approval for longer roads, a sign that working in this area will have challenges. These two stands, taken together, have much less justification for stand

entry than most of the stands proposed for silvicultural treatments in this analysis. Simply leaving them alone would be the best course of action for this area.

- *Response: This area of concern was field reviewed by the soil specialist and the decision was made that the proposed treatment could proceed.*
- **DM 17:** We are in particular concerned about the ESF treatments in C214..... If ESH is to be a goal pursued in this project, there are a number of stands in this analysis area that are of significantly less diversity. Stands 13 and 15 hardly are stands that one would consider to be significantly “departed” from their natural range of variability.
 - *Response: Thank you for your comments and the concerns will be considered.*

Soils

SE 18: A short narrative of the information that prompted the supplemental investigation would provide very helpful context for understanding the likely efficacy of new design criteria and site-specific mitigation measures.

- *Response: As a result of the Objection Resolution meeting, the reviewing officer decided to modify the effects analysis in the Paint Creek Environmental Assessment. The SSIR documents site-specific application of standard design criteria and respective mitigation measures.*
- **SE 19:** We agree with the site-specific techniques documented in the report to identify risk factors in particular stands—e.g., verifying soil types and slopes shown on GIS maps, noting the condition of old roads and skid trails, and identifying pistol butting and other indicators of soil instability. We assume that these same sorts of observations could be made during field examination of stands in future projects so that the information can be available throughout the development of those projects as well.
 - *Response: The level of field examination for future projects will be determined on a case-by-case basis.*
- **DM 20:** it would have been reasonable to mention somewhere in the beginning of the SSIR that concerns from the public about high-volume logging on Junaluska soil associations was one of the factors in the Unaka district 4 choosing to undertake a supplemental study. Furthermore, the EA should have been more forthright in its response to our concerns by acknowledging the full extent (in volume and chronology) of our concerns.
 - *Response: Thank you for your comment. Your comment will be taken into consideration in the future.*

- **DM 21:** However, in the discussion of C 217/4, it says “Below the road, ground based equipment shall be excluded from slopes in excess of 45% in accordance with project design criteria. We were told in the phone conference that this was a typo. Please state this in the ROD.
 - *Response: Thank you for your comment.*
- **DM 22:** As the EA points out, 35% is the threshold for F slopes. As the SSIR cites initially 40% as the cutoff for operating ground based-logging equipment, we assume that this proposal plans to use that as the standard.
 - *Response: See response to SE 3*
- **DM 23:** The picture above from the February 2015 visit shows significant bare ground persisting two years after logging that goes straight down towards the wash, acting as a vector for continued soil degradation. Is this kind of temporary road acceptable? If not, what standards will be in place to insure that a contoured temporary road be used exclusively? (Picture pg. 7)
 - *Response: This picture is of Island Creek and is therefore beyond the scope of this analysis. Design criteria for this project are presented on EA pp. 46-47. Such issues have not been observed in previous timber sales on the North Zone of the Cherokee National Forest as documented in the SSIR (pp. 19-20 &37-38).*
- **DM 24:** We have serious concerns that the Cherokee plans to go through with logging on G-slopes (50-80%)..... we request that if logging is to occur in the stands listed in the SSIR that the Cherokee drop all logging on G-Slopes.
 - *Response: Within all treatment areas there will be occurrences of steep slopes, rock outcrops, and areas that should not be commercially treated. Skid trails and temporary roads for the purpose of timber harvest would not be constructed for sustained distances over 200 feet in areas with slopes of 40% or greater (“steep area”). The 200-foot length can be exceeded however where the skid trail and/or temporary road is needed to traverse a steep area in order to access the remaining harvest unit(s). Trees within the traversed steep area would not be harvested, except where possible through cable winching to equipment placed outside the steep area (design criteria #17.)*
- **DM 25:** C 217/31 and C216/29 are listed as having G slopes (with a mention of C209/4 and 209/30 having “steeper areas”, and a mention of C214/20 and 26 as having areas greater than 60%). Such areas within these stands should be left alone completely.
 - *Response: See response to DM 24.*

Island Creek/Hog Back

- **SE 26:** It would be helpful to explain whether the District believes that using ground cover would have avoided problems at Hogback and why this design criterion might avoid similar problems in the future.
 - *Response: Thank you for your comments. Island Creek/Hogback are beyond the scope of this project. Your comments will be forwarded to the appropriate line officer.*
- **DM 27:** There is every reason that the effects from the Hogback/Island Creek project should be a cause for concerns over logging the sites addressed in the Paint Creek Project.
 - *Response: Thank you for your comments. Island Creek/Hogback are beyond the scope of this project. Your comments will be forwarded to the appropriate line officer.*
- **DM 28:** The lack of reference to the Island Creek/Hogback project's effects is disappointing for several reasons:
 - i. It limits the effectiveness of the SSIR and the EA by not providing at least a cursory look at silvicultural effects on a site where recent activity has taken place. Has the Cherokee looked at this site since its original site check months after the Winter 2013 logging, other than during our field trip with some South Zone rangers in Summer 2014
 - ii. It omits important context in the official record of what was one of the drivers of the SSIR.
 - iii. It misrepresents the extent of communication of our concerns to the Cherokee, as if we were trying to build a categorical claim based on a single picture- with the implication in the response to our concerns that we just picked the worst spot that we could find as representative. The sheer volume of our photographs and videos, along with the Summer 2014 field trip was a good faith attempt to ensure that we were NOT doing such a thing.
 - iv. It distorts the good faith nature of public involvement, as our material was attempting to fulfill the agency's request that the public provide specific, relevant comment.
 - *Response: Thank you for your comments. Island Creek/Hogback are beyond the scope of this project. Your comments will be forwarded to the appropriate line officer.*
- **DM 29:** It is important the district both acknowledge the public input that influenced the report, and discuss what in particular about Hogback/Island Creek influenced it. What problems were happening there? Was the lack of success in the shortleaf planting a concern? Were the temporary roads/skid trails still considered problematic two years after the 2013 site visit? Was there too much topsoil loss? Were there any lessons

learned, or at least something for further study? Perhaps they are indirectly in the SSR, but it is important that they be acknowledged explicitly.

- *Response: Thank you for your comments. Island Creek/Hogback are beyond the scope of this project. Your comments will be forwarded to the appropriate line officer.*

Roads

- **DM 30:** For decommissioning to have any meaning that addresses the issues that are discussed here, it has to mean: closing/gating the road, disking, removing culverts and recontouring stream crossings to return them to normal flow, revegetation, and finally, a reclaiming of the road by trees to the point that one could remove the gate, as the road had truly been reclaimed by the forest, and a potential rogue user would have little or no incentive to attempt to use it again.
 - *Response: Thank you for your comment. The Cherokee NF evaluates decommissioning methods on a case by case basis.*

Other

- **KM 31:** We applaud the effort of the Forest Service staff for providing the supplemental soils analysis that gives careful consideration of and direction for implementing restoration without adversely impacting soil or water quality.
 - *Response: We appreciate your supportive comments for this project.*
- **DM 32:** As we have said earlier, it is important that the agency document in its EA's how public input has at least a measure of effect how it conducts it work.
 - *Response: Public involvement during the early phases of the NEPA process allows the responsible official to identify issues, develop alternatives that respond to issues, and define the extent of analysis needed. By discussing and informing the public of the emerging issues related to the proposed action, we may reduce misunderstandings, build cooperative working relationships, educate the public and decision makers, and avoid potential conflicts. The responsible official is required to consider public comments and respond to them if submitted during the comment period that establishes eligibility to object. However, there is no requirement to change the action or analysis based on any one public comment.*
- **DM 33:** We request that if this project goes forward that a full accounting of all cumulative financial inputs and mitigations be gathered and published. We further request a copy of this document when it is published.
 - *Response: There are no federal regulations that require us an agency to produce this form of documentation.*